

REMARKS

In the Office Action mailed on August 12, 2004, claims 1-17, 19, 20, 24, 25, 30-37, 39-41, 43, 44 48 and 49 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Maxwell in view of Lin; claims 18 and 42 were rejected under § 103(a) as being unpatentable over Maxwell in view of Lin and Walsh; claims 21-23 and 45-47 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Maxwell in view of Lin and Marino; claims 26 and 38 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Maxwell in view of Lin and Caputo; claims 27, 29 and 50 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Maxwell in view of Lin and Gilbert; and claim 28 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Maxwell in view of Lin, Gilbert and Shih. These rejections are addressed below.

§ 103 Rejections of Claims 1-26, 48 and 49:

The method of independent claim 1 includes creating a configuration information file. This configuration information file contains data that specifies a command to initiate an executable software routine for installing a device driver. Furthermore, data in the configuration information file identifies actions to be accomplished and information to be used to install the device driver.

The Examiner fails to establish a *prima facie* case of obviousness for independent claim 1 for at least the reason that the hypothetical combination of Maxwell and Lin fails to teach or suggest all claim limitations. For example, for the reason that were set forth in the previous reply, the INF file of Maxwell does not identify actions to be accomplished to be used to install a device driver. Furthermore, Lin does not teach or suggest the missing claim limitations.

As another example of a limitation that is not taught or suggested by the hypothetical combination of Maxwell and Lin, neither reference teaches nor suggests a configuration file that includes data that specifies a command to initiate an executable software routine for installing a device driver. More specifically, the Examiner relies on Maxwell for this alleged teaching or suggestion. Maxwell discloses that the INF file (i.e., the alleged "configuration information file") lists the file names of various device drivers. Maxwell also discloses that a routine reads these files from the INF files and copies the

device driver files from the INF location to the OS installation file location. *See, for example*, Maxwell, 7:51-52. There is, however, no teaching or suggestion in Maxwell of a command that is contained in the INF file to initiate an executable software routine for installing a device driver.

In the rejection of claim 1, the Examiner broadly refers to the subject matter that appears in column 7 of Maxwell. Applicant requests the Examiner to specifically identify where in column 7 that Maxwell allegedly teaches or suggests a command in the INF file that initiates an executable software routine for installing a device driver. Applicant submits that because neither Maxwell nor Lin teaches or suggests such a command in a configuration information file, a *prima facie* case of obviousness has not been established for independent claim 1 for at least this reason.

Therefore, for at least any of the reasons set forth above, a *prima facie* case of obviousness has not been set forth for independent claim 1.

Claims 2-26, 48 and 49 are patentable for at least the reason that these claims depend from an allowable independent claim. Thus, withdrawal of the § 103(a) rejections of claims 1-26, 48 and 49 is requested.

§ 103 Rejections of Claims 27-29 and 50:

The computer system of independent claim 27 includes a configuration information file that contains data that specifies a command to initiate an executable software routine for installing a device driver.

See discussion of independent claim 1 above. For at least the reason that the hypothetical combination of Maxwell and Lin fails to teach or suggest a configuration information file that includes data that specifies a command to initiate an executable software routine for installing a device driver, a *prima facie* case of obviousness has not been set forth for independent claim 27.

A *prima facie* case of obviousness has not been set forth for independent claim 27 for at least the additional, independent reason that the hypothetical combination of Maxwell, Lin and Gilbert fails to teach or suggest the executable file of claim 27. More specifically, claim 27 specifically states that each of the selectable buttons is associated with a different device driver that may be installed on a computer system. The Examiner

generally refers to Gilbert's discussion of a "button" in connection with the installation of a device driver. *See, for example*, Fig. 8a of Gilbert and the corresponding text. However, neither Fig. 8a of Gilbert nor the corresponding text of Gilbert teaches or suggests selectable buttons, where each button is associated with a different device driver. The "button" referred to in Gilbert is an F4 function button, a button that causes the computer to display the menu depicted in Fig. 8b. However, neither this F4 function button nor any other button disclosed in Gilbert is associated with a particular device driver (much less a plurality of buttons that are associated with a plurality of device drivers). Thus, Gilbert fails to teach or suggest the executable file of claim 27. The Examiner concedes that neither Maxwell nor Lin teaches or suggests the executable file of claim 27. Therefore, for at least the reason that the hypothetical combination of Maxwell, Lin and Gilbert fails to teach or suggest all of the limitations of claim 27, a *prima facie* case of obviousness has not been established for this claim.

Claims 28, 29 and 50 are patentable for at least the reason that these claims depend from an allowable claim. Thus, for at least the reasons that are set forth above, withdrawal of the § 103(a) rejections of claims 27-29 and 50 is requested.

§ 103 Rejections of Claims 30-47

The removable media storage device of independent claim 30 includes a configuration information file that includes data that specifies a command to initiate an executable software routine for installing a second device driver. As discussed above in connection with independent claim 1, the INF file of Maxwell does not teach or suggest such a configuration information file and for at least this reason, the hypothetical combination of Maxwell and Lin does not establish a *prima facie* case of obviousness for claim 30.

A *prima facie* case of obviousness has not been established for claim 30 for at least the additional, independent reason that the configuration information file does not identify actions to be accomplished, as set forth in the previous reply.

Thus, for at least any of the reasons that are set forth above, a *prima facie* case of obviousness has not been established for independent claim 30.

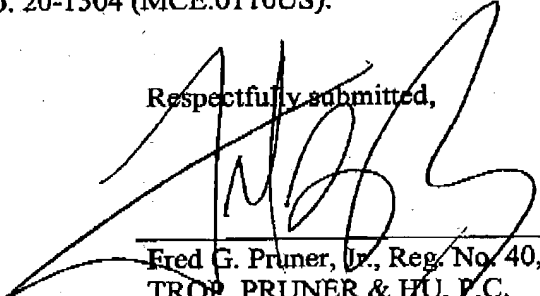
Claims 31-47 are patentable for at least the reason that these claims depend from an allowable claim. Therefore, for at least the reasons set forth above, withdrawal of the § 103(a) rejections of claims 30-47 is requested.

CONCLUSION

In view of the foregoing, withdrawal of the § 103(a) rejections and a favorable action in the form of a Notice of Allowance are requested. The Commissioner is authorized to charge any additional fees, including extension of time fees, and/or credit any overpayment to Deposit Account No. 20-1504 (MCE.0110US).

Respectfully submitted,

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